

GUIDE

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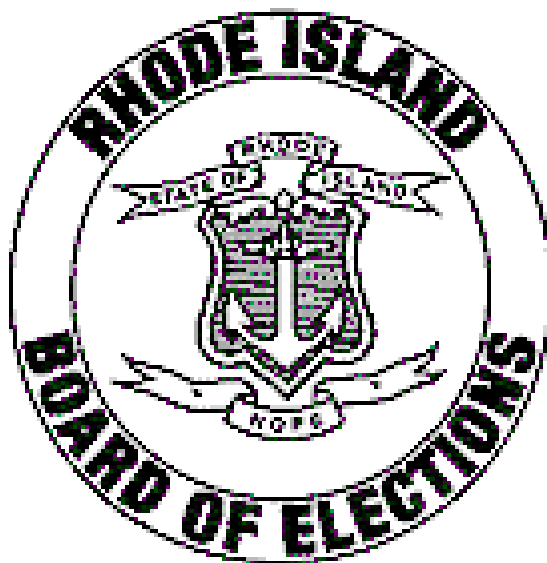
RHODE ISLAND

CAMPAIGN CONTRIBUTIONS

&

EXPENDITURES REPORTING ACT

(R.I.G.L. 17-25)



STATE OF RHODE ISLAND
BOARD OF ELECTIONS

50 Branch Avenue
Providence, Rhode Island 02904

RHODE ISLAND STATE BOARD OF ELECTIONS

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NOTE!!!

This guide does not reflect recent changes made to the campaign finance laws. The Board of Elections is in the midst of preparing an updated manual reflecting those and other amendments to the campaign finance statutes as well as the rules, regulations, and procedures which campaigns are subject to.

We anticipate a new manual to be ready for distribution during the 1st Quarter of 2002.

1. PERSONS / ENTITIES SUBJECT TO THE CAMPAIGN FINANCE LAWS:

Rhode Island requires candidates, political action committees and political party committees to file periodic reports of contributions and expenditures if the total contributions from any one source within the calendar year is received in excess of \$100 or expenditures on behalf of a candidacy or question exceed \$1,000. Independent expenditures over \$100 are required to be reported by the person making such independent expenditure to the Board of Elections and to the campaign treasurer or the candidate or committee on whose behalf the expenditures were made within seven (7) days of making such expenditure. [See R.I.G.L 17-25-7; 17-25-10; 17-25-11]

Also, certain state vendors are required to file reports with the Board pursuant to R.I.G.L. 17-27. To obtain information on the reporting requirements for state vendors refer to the Board's publication *Regulations Relating To Political Contributions By State Vendors*.

A. Persons Seeking Office/Candidates.

A “*candidate*” is any person who undertakes any action whether preliminary or final which is necessary under the law to qualify for nomination for election or election to public office which would include receiving a contribution or making any expenditure or giving his consent for any other person to receive a contribution or make an expenditure to bring about his nomination or election to any public office even if such office is unknown at that time. A person may be considered a candidate for public office even though such person has not declared himself or herself to be a candidate for public office. [See R.I.G.L 17-25-3(2); 17-25-11]

This will not include candidates for political party offices which shall mean a state, city, town, ward, representative or senatorial district committee office of a political party or a delegate to a political party convention or any similar office. [See R.I.G.L 17-25-3(10)]

Withdrawal or termination of candidacy does not relieve the candidate from keeping accurate records and making necessary reports through the time of termination of candidacy or dissolution of the fund, whichever is the later. [See R.I.G.L 17-25-3(2); 17-25-7; 17-25-11]

B. Political Party Committees.

The term “*political party committee*” shall mean each state and municipal committee of a political party. A “*state committee of a political party*” includes the state committee of each political party and each senatorial and representative district committee. A “*municipal committee of a political party*” includes the city and town committees of each political party and each ward committee. [See R.I.G.L Chapter 17-12; 17-1-2(6)]

C. Political Action Committee.

The term “*political action committee*” (PAC) means any group of two or more persons which accepts any contributions to be used for advocating the election or defeat of any candidate or candidates or to be used for advocating the approval or rejection of any question or questions submitted to the voters. Only political action committees which have accepted contributions from fifteen (15) or more persons in amounts of \$10 or more within an election cycle shall be permitted to make contributions, and said political action committees must make contributions to at least five (5) or more candidates. [See R.I.G.L 17-25-3(9)]

However, a political action committee organized exclusively for the purpose of promoting or opposing a ballot question shall not be subject to the requirement of making contributions to at least five (5) candidates, and such political action committee must terminate all activity within 30 days following the election at which such ballot question has been determined. [See R.I.G.L 17-25-15(f)]

D. Persons Not Acting in Concert With Any Other Person or Group.

Any person, not otherwise prohibited by law, and not acting in concert with any other person or group (as determined by the standards set forth in §17-25-23) who has expended personally from such person’s own funds a sum for the purpose of supporting or defeating a candidate or advocating the approval or rejection of a question shall be required to report all such expenditures and expenses exceeding \$100 within a calendar year to the Board of Elections within 7 days of making such expenditure and shall also report expenditures and expenses to the campaign treasurer of the candidate or political party committee on whose behalf the expenditure was made within 7 days of making such expenditure. The candidate or political party committee on whose behalf such expenditure was made shall, in turn, cause such expenditures and expenses to be contained in the report made by said candidate or political party committee to the Board of Elections. There is no limitation on the amount that a person, not acting in concert with any other person or group, may expend personally from such person’s own funds to support or defeat a candidate or to advocate the approval or rejection of any question. [See R.I.G.L17-25-10(b)]

2. DUTIES OF A CANDIDATE:

A. Appointment Of Campaign Treasurer.

Each candidate shall appoint one campaign treasurer before receiving any contributions or expending any money in furtherance or aid of his candidacy. The candidate must file the name and address of the treasurer with the Campaign Finance Division of the Board of Elections, 50 Branch Avenue, Providence, Rhode Island 02904 no later than 5 days after the last day of filing declarations of

candidacy or before receiving a contribution or making an expenditure. The treasurer may be the candidate himself and the treasurer may also appoint a deputy treasurer. The names and addresses of these campaign treasurers shall also be filed on the prescribed forms with the Campaign Finance Division. A person may serve as the campaign treasurer or deputy treasurer for one or more candidates. [See R.I.G.L 17-25-8]

B. Candidate As Treasurer.

As stated above, a candidate may serve as his own campaign treasurer. Upon failure to designate such a treasurer, the candidate will be designated his own treasurer by the Board of Elections. [See R.I.G.L 17-25-8]

C. Only Campaign Treasurer May Receive Contributions or Expend Money.

Unless a candidate is his own treasurer or deputy treasurer, he may not receive contributions nor expend money on his own candidacy. The only persons who may receive contributions or expend money are the duly appointed campaign treasurers or deputy campaign treasurers of the candidate. [See R.I.G.L 17-25-10] However, a person not acting in concert with a candidate may make expenditures which must be reported to the Board of Elections and to the duly appointed campaign treasurer or deputy campaign treasurer of the candidate or political party committee on whose behalf the expenditure was made. [See R.I.G.L 17-25-10(b)]

D. Reports/Certifying Report.

The treasurer shall file reports as required in Section 7 and shall certify to the correctness of each report.

E. Testimonials For Personal Use.

A testimonial [as defined in R.I.G.L 17-25-3(12)] for a candidate [as defined in R.I.G.L 17-25-3(2)] designed to raise money for personal use is prohibited by law. [See R.I.G.L 17-25-7.3] The term “personal use” is defined in §17-15-7.2.

F. Testimonials for Campaign Purposes.

Testimonials for campaign purposes and not testimonials designed to raise funds for personal use are lawful but must be reported in the same manner as other contributions and expenditures. [See R.I.G.L 17-25-7.3]

3. DUTIES OF POLITICAL PARTY COMMITTEES:

A. Designation Of Treasurer.

Each state and municipal committee of a political party shall on or before *January 31st* in each year designate a campaign treasurer and shall file the name and address thereof with the Campaign Finance Division. [See R.I.G.L 17-25-9]

B. Reports/Certifying Report.

The treasurer shall file reports as provided in Section 7 and shall certify to the correctness of each report.

C. Testimonial Affairs.

Each political party committee reporting shall include contributions received at testimonial affairs and include the name and address of contributors of aggregate contributions in excess of \$100. [See R.I.G.L 17-25-7(c)]

4. DUTIES OF POLITICAL ACTION COMMITTEES:

A. Notice of Organization.

No political action committee shall accept any contribution or make any expenditure prior to filing notice of its organization with the Board of Elections on a form prescribed by that office. The notice shall contain:

1. The name and/or names of any candidates whose election or defeat the committee intends to advocate and/or the question or questions whose approval or rejection the committee intends to advocate;
2. the names and addresses of all officers of the committee;
3. the mailing address or addresses of the committee;
4. the goals and purposes of the political action committee; and
5. a statement indicating whether the membership and/or contributor base of the political action committee is derived primarily from the employees of one corporation or business entity or from one business or professional group or association or labor union and, if so, the identity of that employer or group or association or union. [See R.I.G.L 17-25-15(a)]

The committee shall not advocate the election or defeat of any candidate or question other than set forth in its notice of organization or amendment thereto. A political action committee may amend its notice of organization at any time. The Campaign Finance Division shall prescribe forms in compliance with this section. [R.I.G.L 17-25-15(b)]

B. Political Action Committee Names.

If a political action committee derives more than 50% of its funds from the employees, officer, directors, investors and/or stockholders of a corporation or other business entity, the name of said political action committee must incorporate the name of that corporation or business entity. If a political action committee derives more than 50% of its funds from persons affiliated with one industry, profession, trade organization or association or labor union, the name of said political action committee must identify that industry, profession, trade organization or association, or labor union. [See R.I.G.L 17-25-15(e)]

C. Appointment Of Campaign Treasurer.

Each political action committee shall appoint one campaign treasurer before receiving any contribution or expending any money for the purpose of advocating the election or defeat of any candidate or the approval or rejection of any question. [See R.I.G.L 17-25-8.1]

D. Reports/Certifying Report.

The treasurer shall file reports as provided in Section 7 and shall certify to the correctness of each report.

5. PERSONS NOT ACTING IN CONCERT WITH ANY OTHER PERSON OR GROUP

Any person, not otherwise prohibited by law, and not acting in concert with any other person or group (as determined by the standards set forth in R.I.G.L 17-25-23) who has expended personally from such person's own funds a sum for the purpose of supporting or defeating a candidate or advocating the approval or rejection of a question shall be required to report all such expenditures and expenses exceeding \$100 within a calendar year to the Board of Elections within 7 days of making such expenditure and shall also report expenditures and expenses to the campaign treasurer of the candidate or political party committee on whose behalf the expenditure was made within 7 days of making such expenditure. The candidate or political party committee on whose behalf such expenditure was made shall, in turn, cause such expenditures and expenses to be contained in the report made by said candidate or political party committee to the Board of Elections. There is no limitation on the amount that a person, not acting in concert with any other person or group, may expend personally from such person's own funds to support or defeat a candidate or to advocate the approval or rejection of any question. [See R.I.G.L 17-25-10(b)]

6. DUTIES OF CAMPAIGN TREASURERS OR DEPUTY TREASURERS OF CANDIDATES, POLITICAL ACTION COMMITTEES AND POLITICAL PARTY COMMITTEES:

A. Duty To Keep Records.

Each campaign treasurer of a candidate, political action committee and political party committee must keep accurate records of receipts and expenditures during the period from the date of the last report or, in the case of the initial report, beginning on the date of the appointment of the campaign treasurer for state and municipal committees and political action committees and on the date a person becomes a “candidate” as defined in §17-25-3(2) for individual candidates and reports to the Campaign Finance Division. Accordingly, such records must include all receipts and expenditures received or expended during each election cycle and must be maintained for the period of time required under Section 7(H). [See R.I.G.L 17-25-7]

B. Expenditures By Candidates To Own Campaign.

If a candidate expends more than \$100 of his own monies in his campaign, then said expenditure must be listed as a contribution from the candidate to his campaign. [See R.I.G.L 17-25-7]

C. Reports/Certifying Report.

The campaign treasurer shall file reports as provided in Section 7 and shall certify to the correctness of each report.

D. Removal Of Campaign Treasurers/Appointment of Successor.

A candidate, political action committee or political party committee may remove a campaign treasurer or deputy campaign treasurer. In the case of death, resignation or removal of a campaign treasurer, the candidate, political action committee or political party committee must appoint a successor as soon as practical and shall file his name and address with the Campaign Finance Division within 10 days. [See R.I.G.L 17-25-8(c)]

7. REPORTING AND BOOKKEEPING REQUIREMENTS:

A. Designation of Campaign Treasurer.

Each candidate in an election, political action committee, and state or municipal committee of a political party must appoint a campaign treasurer and file the name and address of treasurer and any deputy campaign treasurers appointed with the Board of Elections. [See R.I.G.L 17-25-8; 17-25-8.1; 17-25-9]

A candidate must appoint a campaign treasurer before receiving any contribution or expending any money in furtherance or aid of his candidacy. A political action committee must likewise appoint a campaign treasurer before receiving any contribution or expending any money for the purpose of advocating the election or defeat of any candidate or the approval or rejection of any question. A state or municipal political party committee must also designate a campaign treasurer and file his or her name and address with the Board of Elections on or before January 31st each year. [See R.I.G.L 17-25-8; 17-25-8.1; 17-25-9] A candidate may serve as his own campaign treasurer and a candidate who fails to appoint a treasurer will be designated as his own treasurer by the Board of Elections. [See R.I.G.L 17-25-8]

In the case of the death, resignation or removal of a campaign treasurer, a successor must be appointed as soon as practical and his name and address filed with the Board of Elections within 10 days. [See R.I.G.L 17-25-8; 17-25-8.1; 17-25-9]

B. Notice Of Formation Of Political Action Committee.

A political action committee must file notice of its organization with the Board of Elections before accepting any contribution or making any expenditure. The notice must contain the name of any candidates whose election or defeat the committee intends to advocate and the questions whose approval or rejection the committee intends to advocate; the names and addresses of all officers of the committee; the mailing address of the committee; the goals and purposes of the political action committee; and a statement indicating whether the membership and/or contributor base of the political action committee is derived from the employees of one corporation or business entity or from one business or professional group or association or labor union and, if so, the identity of that employer or group or association or union. A political action committee may not advocate the election or defeat of any candidate or question other than those set forth in its initial or amended notice of organization. [See R.I.G.L 17-25-15(a)]

Each political action committee shall include in each report to be filed with the Board of Elections the source and amount of all contributions received by the PAC regardless of the amount received (even if \$100 or less.) [See R.I.G.L 17-25-15(c)]

In addition to all other reporting requirements, each political action committee shall include in each report required to be filed by this chapter: (1) the source and amount of all funds received through a regular payroll checkoff plan in which the aggregate contribution from each individual does not exceed \$100 per calendar year and shall report the name and address of each entity transferring such funds to the committee, the aggregate amount received from the payroll checkoff and the total number of contributors; provided however, that funds received by the political action committee of a labor organization in amounts not exceeding \$25 per calendar year from a single source shall be reported by the aggregate amount received and the total number of members of the labor organization contributing. If, under a regular payroll checkoff plan, the aggregate contribution of any individual shall exceed \$100 per calendar year, or if a political action committee of a labor organization shall receive more than \$25 per calendar year from a single source, such source must be identified in the report; (2) the name and address of each person to whom expenditures were made, and the amount and purpose of each expenditure; and (3) the name and address of each elected official and candidate for elected office to whom a contribution was made, and the amount of the contribution. [See R.I.G.L 17-25-15(c)]

A political action committee that advocates the approval or rejection of any gambling question (i.e. a referendum that relates to a proposal to institute gambling in any form) must also register with the Secretary of State by submitting its name and the names and addresses of the chairman and treasurer. [See R.I.G.L 17-25 1-1(a)]

A political action committee organized exclusively for the purpose of promoting or opposing a ballot question may expend in excess of \$25,000 to promote or oppose that referendum and shall not be subject to the requirement of making contributions to at least 5 candidates. Any such political action committee shall terminate all activity within 30 days following that election. [See R.I.G.L 17-25-15(f)]

C. Reports Of Contributions And Expenditures.

The campaign treasurer of a candidate, political action committee, and municipal or state political party committee must file with the Board of Elections reports of contributions received and expenditures made in furtherance of the nomination, election or defeat of any candidate or the approval or rejection of any question submitted to the voters. Said reports shall state the aggregate amount of all contributions received and, in addition, shall state the amount in the aggregate which were from individuals, the amount in the aggregate from political action committees, and the amount in the aggregate from political party committees. Provided, however, that if the aggregate of contributions from any single source within a calendar year shall exceed \$100 such reports must list the name, address and place of employment of such source. Each such report filed with the Board of Elections shall contain the amount of aggregate contributions which were received

from individuals, the aggregate amount which were received from political action committees and the aggregate amount which were received from political party committees.

With respect to expenditures, such reports shall list the name and address of each person to whom an expenditure in excess of \$100 was made together with the amount and purpose of each such expenditure. Provided, however, that no report of expenditures need be made if the aggregate amount expended on behalf of the candidacy does not exceed \$1,000. Notwithstanding the provisions of §17-25-11(e), a campaign treasurer shall be required to file reports stating the aggregate amount of all contributions received even though no contribution was received from a single source within a calendar year in excess of \$100 and even though the amount expended on behalf of the candidacy did not exceed \$1,000. [See R.I.G.L 17-25-11(d)]

D. Transition From Former Campaign Contributions Limits To Current Limits Which Became Effective On April 29, 1992.

92-H 7293 Substitute A, as amended, changed campaign contributions limits. Section 5 of 92-H 7293 Substitute A, as amended, provides as follows: “All provisions regarding the maximum amount which may be contributed or expended shall, for the purposes of tabulating the total amount contributed or expended apply, to all contributions donated and expenditures made after December 31, 1991.”

Accordingly, and as an example, for calendar year 1992, if an individual contributed \$1,500 in January 1992 (prior to the effective date of the new statute on April 29, 1992) such contribution, since it was within the legal contribution limits when made, may be retained by the recipient, but the contributor shall be deemed to have reached the new contribution limit and accordingly will not be allowed to make any additional contributions during calendar year 1992 to such recipient. The same principle shall apply to all other contribution limits.

From and after April 29, 1992, no entity other than an individual, a political action committee, a political party committee or an authorized committee of an elected official or candidate is permitted to make any contribution to or any expenditure on behalf of or in opposition to any candidate, ballot question, political action committee, or political party committee. [See R.I.G.L 17-25-10 1(j)] A contribution made by a “business entity” as defined in R.I.G.L 17-25-3(1) on April 29, 1992 or thereafter is strictly prohibited.

For the purposes of tabulating total contributions and expenditures for calendar year 1992 all contributions received and expenditures made after December 31, 1991 shall be included in tabulating total contributions and expenditures. For example, an individual who has contributed \$1,000 to a candidate on January 15, 1992 has already reached the statutory maximum that may be contributed to a

candidate notwithstanding that the act reducing the statutory maximum from \$2,000 to \$1,000 did not become effective until April 29, 1992. 92-H 7293 Substitute A as amended, which reduced the maximum that may be contributed to a candidate to \$1,000 provides in section 5 thereof that all contributions donated and expenditures made after December 31, 1991 are to be taken into account when tabulating the total amount which may be contributed or expended.

All provisions of the statute regarding the reporting of campaign contributions and expenditures shall apply to all contributions donated and expenditures made from and after April 29, 1992 (the effective date of 92-H 7293 Substitute A as amended.) For example, from and after April 29, 1992, a contribution in excess of \$100 would have to be reported indicating the name, address and place of employment of the source of such contribution. However, a contribution made prior to April 29, 1992 which exceeds \$100 but does not exceed \$200 would only be reported in aggregate contributions without the need to identify the name, address and place of employment of the source of such contribution.

E. Contents Of Reports.

A report of contributions and expenditures must contain for the reporting period the name and address and place of employment of each person from whom total contributions over \$100 within a calendar year were received and the amount contributed by each person, including any contributions received from any testimonial affair held for the purpose of raising campaign funds and the name and address of each person to whom expenditures in excess of \$100 were made and the amount and purpose of each such expenditure, however, a report of expenditures is not required if the total amount to be expended on behalf of a candidate or question does not exceed \$1,000 in the aggregate although the report must continue under such circumstances to report contributions received as provided above. [See R.I.G.L 17-25-7(a), (c); 17-25-11]

If during any reporting period the aggregate amount of all contributions (including contributions made during previous quarters in the calendar year) from a single contributor exceeds \$100 for the first time then the date and amount of each contribution must be listed in the report. Dates and amounts of contributions from previous quarters only need to be reported during the first reporting period that caused the contributor to exceed \$100 in the aggregate. Thereafter, the candidate need only report contributions made by that contributor during the current reporting period.

The reports are to cover the period from the date of the last report or, in the case of the initial report, from the date a person becomes a candidate or the date of appointment of a committee campaign treasurer, whichever is applicable. [See R.I.G.L 17-25-7(a)]

1. Expenditures By Credit Cards.

With respect to the reporting of expenditures in which payments are made to the issuer of a credit or charge card who, in turn, has paid or will pay the actual provider of services or other thing of value, the reporting of the name and address of the issuer and the amount and purpose of the payment to the issuer if in excess of \$100, together with the name and address of the actual provider of services or other thing of value exceeding \$100 in total and the amount and purpose of each such expenditure shall be required. The report shall be filed in such manner as to clearly indicate that the amount paid to the issuer and the amounts owed to the actual providers are related.

2. Additional Requirements.

The following are requirements which must be used in filing reports for contributions exceeding \$100 in the aggregate from a single source:

Contributors listing:

- (a) Must be in alphabetical order by last name.
- (b) Must include the contributor's first name, middle name or initial, last name and must also specify Jr. or Sr. if applicable and must include the date of the contribution.
- (c) Must include address and city or town of contributor.
- (d) Must include place of employment and the address of same.
- (e) Must have pages numbered and must be doubled spaced between contributors.
- (f) Reports must be typed if a computer printout is not available or printed legibly (type must be no smaller than 10 points or 12 cpi).
- (g) Report must be printed on 8-1/2" x 11" paper of a weight of 20 lbs but not more than 26 lbs..

CONTRIBUTIONS MUST BE REPORTED ONCE CONTRIBUTIONS EXCEED \$100 IN THE AGGREGATE FROM A SINGLE CONTRIBUTOR.

A SAMPLE OF A COMPLETED FORM CCER-2 APPEARS IN APPENDIX D.

F. Forms/Regulations.

Reporting forms and regulation manuals are available from the Campaign Finance Division.

G. Records/Accounting Method.

All reports or affidavits filed with the Campaign Finance Division must be based upon accounting records which accurately reflect contributions and expenditures on an itemized basis. Each report shall also include a listing of *accounts payable on an accrual basis* as of midnight on the final day of the reporting period.

H. Preservation Of Records.

The accounting records must be current and posted not more than seven days after the date of transaction. The records maintained by the campaign treasurer must be preserved for at least a period of one year after the last report or affidavit which is required to be filed.

I. Contributions Of \$25 Or Less.

Individual contributions of \$25 or less are not exempt from record keeping requirements. All records of contributions regardless of amount must be maintained by the campaign treasurer or deputy treasurer.

J. General Office Candidate/Matching Public Funds.

Special reporting and filing requirements are applicable to general office candidates if at least one candidate accepts matching public funds. Please see the *Public Financing of Campaigns for Candidates for General Office Manual* for further details.

K. Filing Deadlines For Reports:

1. Pre-Election Reports.

During the period between the appointment of a campaign treasurer for state and municipal committees, and political action committees, or in the case of an individual, the date on which the individual becomes a declared or undeclared “candidate” as defined in §17-25-3(2), and the election with respect to which contributions are received or expenditures made by him or her in behalf of or in opposition to a candidate or question, the campaign treasurer of a candidate, a political party committee, or a political action committee shall file a report containing an account of contributions received and expenditures made on behalf of or in opposition to a candidate or question at 90 day intervals commencing on the date on which the individual becomes a “candidate” as defined in §17-25-3(2). Notwithstanding that the initial report may cover a period of less than 90 days, quarterly reports for the periods ending on March 31st, June 30th, September 30th and December 31st are due within 30 days of the close of each quarterly period.

(Quarterly reports are due at the Board of Elections by: April 30th, July 30th, October 30th and January 30th.) Reports are also due on the 28th and 7th days preceding the day of each general, special, or primary election.

2. Final Election Report.

A final report must be filed on the 28th day following the election. The report must be accurate as of midnight the day before the report is due and must be filed on a form prescribed by the Campaign Finance Division.

3. Ongoing Reports.

Ongoing reports are required to be filed at 90 day (quarterly) intervals commencing 120 days following the election. Reports are due pursuant to the following schedule: [R.I.G.L. 17-25-11]

<u>Date Report Due</u>	<u>For Quarterly Period Ending</u>
April 30 th	March 31 st
July 30 th	June 30 th
October 30 th	September 30 th
January 30 th	December 31 st

The first ongoing report will be due on the quarterly due date next following the expiration of the 120 day period. [R.I.G.L. 17-25-11, Rules adopted 1-24-86 by the Board of Elections.] Such ongoing reports shall be required for each reporting period during which the candidate, political party committee, or political action committee shall have received contributions in excess of \$100 within a calendar year from any one source and/or made expenditures in excess of \$1,000 within a calendar year [R.I.G.L. 17-25-11(f)]. Provided, however, for any such reporting period during which the campaign has not received contributions in excess of \$100 within a calendar year from a single source and/or has not made expenditures in excess of \$1,000 within a calendar year, the campaign treasurer shall nevertheless file with the Board of Elections a form prepared by the Board certifying that the aforementioned thresholds were not reached during such reporting period. For any succeeding reporting period during which either the contribution or expenditure threshold has been reached the campaign treasurer shall include in the report for such subsequent reporting period the total of all aggregate contributions and all expenditures made during the preceding period or periods during which the requisite threshold amounts were not reached. Provided, however, nothing herein contained shall require the report to include expenditures made unless the aggregate of such expenditures shall total more than \$1,000 within the calendar year. [See R.I.G.L. 17-25-11(f)]

4. Political Party Committees/Annual Reports.

A state and municipal committee of a political party must also file not later than *March 1st* each year an *annual report* setting forth in the aggregate all contributions received and all expenditures made during the previous calendar year, whether or not expenditures were made, incurred, or authorized in furtherance of the election or defeat of any candidate. The treasurer of the committee organization reporting shall certify to the correctness of such reports. [See R.I.G.L 17-25-7(b)]

L. Exclusion From Reporting Requirements:

1. There shall be no obligation to file the report of expenditures required by this section on behalf of or in opposition to a candidate or question if the total amount to be expended on behalf of the candidacy or question by the candidate, political party committee, political action committee or by any person shall not in the aggregate exceed \$1,000. [See R.I.G.L 17-25-11(d)]

The exclusion from reporting does not relate to any aggregate contribution from a single source in excess of \$100 even though the expenditures of the candidate, political party committee, or political action committee do not exceed the \$1,000 amount. (i.e. The source and amount of all contributions in the aggregate from a single source in excess of \$100 must be reported even if the total expenditures do not exceed \$1,000.)

Provided further that even if the source and amount of all contributions in the aggregate from a single source does not exceed \$100 and total expenditures do not exceed \$1,000, a report must nevertheless be filed listing the aggregate amount of all contributions received including the aggregate amount received from individuals, the aggregate amount received from political action committees, and aggregate amount received from political party committees.

2. The campaign treasurer may file a sworn statement that said treasurer will not make aggregate expenditures in excess of \$1,000. Thereafter the campaign treasurer shall be excused from reporting campaign expenditures; provided however, that said campaign treasurer shall not be excused from reporting in the aggregate all contributions received even if no contributions from a single source in excess of \$100 in the aggregate within a calendar year were received. Such reports so filed shall, under the expenditures section, contain the statement that expenditures to the last date covered by such report did not exceed \$1,000 in the aggregate. [See R.I.G.L 17-25-11(d); 17-25-11(e)]

M. Post-Election Requirements.

1. Certification Of Completion Of Business.

Concurrent with the report of contributions and expenditures filed on the 28th day following an election or at any time thereafter, the campaign treasurer of a candidate, political party committee or political action committee may certify to the Board of Elections that the campaign fund of the candidate or committee instituted for the purposes of the past election has completed its business and been dissolved or, in the event the committee will continue its activities beyond the election, that its business regarding the past election has been completed. The certification must be accompanied by a final accounting of the campaign fund or of the transactions relating to the election, including the final disposition of any balance remaining in the fund at the time of dissolution or the arrangements that have been made for the discharge of any obligations remaining unpaid at the time of dissolution. [See R.I.G.L 17-25-11(b)]

Once the campaign treasurer certifies that the campaign fund has completed its business and been dissolved no contribution can be received or expenditure made by that campaign fund. [See R.I.G.L 17-25-11(c)]

Until the time the campaign treasurer certifies that the campaign fund has completed its business and been dissolved, he is required to file reports containing an account of contributions received and expenditures made at 90 day intervals commencing 120 days after the election pursuant to the schedule in Section 7(K)(3). [See R.I.G.L 17-25-11(c)]

2. Ongoing Reports.

On going reports are required to be filed in the manner prescribed in Section 7(K)(3) of this manual.

8. CONTRIBUTIONS:

Definition of Contribution. Contributions include all transfers of money, paid personal services, or other thing of value to or by any candidate, political party committee, or political action committee. Contributions include:

“Paid personal services” are personal services of every kind and nature, the cost or consideration for which is paid or provided by someone other than the committee or candidate for whom the services are rendered, but do not include personal services provided without compensation by persons volunteering their time;

“Other thing of value” means any items of tangible real or personal property of a fair market value in excess of \$100;

A *“loan”* shall be considered a contribution of money until it is repaid;

An “*in-kind*” contribution is a contribution that includes “other thing of value” and “paid personal services” as well as contributions other than money. [See R.I.G.L 17-25-3-(2),(3),(6)]

A. Lawful Methods Of Contribution:

1. Contribution And Expenditures Through The Treasurer.

A contribution may not be made or received and expenditures may not be directly made or incurred to support or defeat a candidate or to advocate the approval or rejection of any question in any election except through the duly appointed campaign treasurer or deputy campaign treasurers of the candidate, political party committee or political action committee. [See R.I.G.L 17-25-10(a)]

2. Independent Contributions.

It shall be lawful, however, for any person, not otherwise prohibited by law, and not acting in concert with any other person or group to expend personally from that person’s own funds a sum which is not to be repaid to him or her, for any purpose not prohibited by law to support or defeat a candidate or question. Provided, however, that any person making such expenditure shall be required to report all such expenditures if the total of money so expended exceeds \$100 within a calendar year, to the Board of Elections within 7 days of making such expenditure and to the campaign treasurer of the candidate, political party committee or political action committee on whose behalf such expenditures or contributions were made or to his deputy, within 7 days of making such expenditure who shall cause the same to be included in his report to the Board of Elections. For purposes of determining whether any such person is acting in concert with any other person or group, the standards set forth in §17-25-23 shall be applied. [See R.I.G.L 17-25-10(b)]

3. Cash Contributions In Excess Of \$25 Prohibited.

All contributions of funds shall be by check or money order identifying the source of such funds; provided, however, that candidates may accept cash contributions which do not exceed \$25 in the aggregate from an individual within a calendar year, and such cash contributions must be delivered directly by the donor to the candidate or the campaign treasurer or deputy treasurer and the campaign treasurer or deputy treasurer shall maintain records of the name and address of all persons making such cash contributions. Except as herein above provided, all other cash contributions are prohibited. [See R.I.G.L 17-25-10 1(I)]

4. Only Individuals, Political Action Committees And Political Party Committees May Contribute.

No entity other than an individual, a political action committee which is duly registered and qualified pursuant to the terms of this chapter, political party committee organized pursuant to Title 17 of the Rhode Island General Laws, or an authorized committee of an elected official or candidate established pursuant to this chapter shall make any contribution to or any expenditure on behalf of or in opposition to any candidate, ballot question, political action committee or political party. [See R.I.G.L 17-25-10 1(c), 17-25-10 1(j)]

5. Tabulating Contributions And Expenditures.

Contributions and expenditures shall be tabulated pursuant to 92-H 7293 Substitute A, as amended, and as prescribed in Section 7(D) of this manual.

B. Prohibited Contributions:

1. Anonymous Or Third-Party Contributions And Expenditures.

Contributions may not be made and expenditures may not be made or incurred anonymously, in a fictitious name, or by one person or group in the name of another. A treasurer or candidate may not solicit or knowingly accept any such contribution. An anonymous contribution may not be used or expended. An anonymous contribution must be returned to the donor if his identity can be ascertained; if it cannot, the contribution escheats to the state. [See R.I.G.L 17-25-10(c);17-25-12]

2. Gambling Question Contributions.

A contribution over \$1,000 in the aggregate may not be made to any political action committee for advocating the approval or rejection of any gambling question. [See R.I.G.L 17-25-1-1(b)]

3. Solicitation Of Contributions From State Classified Employees.

No classified employee or member of the personnel appeal board may solicit contributions for nor may he be solicited to contribute to any political party or campaign. Every state government officer, agent, clerk, or employee who has charge or control in any building, office, or room occupied for any state government purpose must not permit any person to enter for the purpose of making, collecting, receiving, or giving notice of any political assessment, subscription, or contribution, and no person may enter, or remain in any such facility or end or direct any letter or other notice there for the purpose of giving notice of, demanding, or collecting a political assessment, subscription or contribution. [See R.I.G.L 36-4-53] Any person violating the provisions of §36-4-53 shall be deemed guilty of a misdemeanor under §36-4-56.

4. Contributions By Corporations And Other Business Entities Prohibited.

It shall be unlawful for any “business entity” as defined in Section 10 to make any campaign contribution or expenditure as defined in §17-25-3 of the General Laws to or for any candidate, political action committee or political party committee, and it shall also be unlawful for any candidate, political action committee or political party committee to accept any such contribution from such business entity. Contributions and expenditures by any other entity, including corporations, labor unions, etc., are prohibited. Any contribution made in the personal name of any employee of a business entity for which the employee received or will receive reimbursement from such business entity shall be considered as a contribution by said business entity in violation of the ban on such contributions by business entities. [See R.I.G.L 17-25-10 1(h)]

From and after April 29, 1992, no entity other than an individual, a political action committee, a political party committee or an authorized committee of an elected official or candidate is permitted to make any contribution to or any expenditure on behalf of or in opposition to any candidate, ballot question, political action committee, or political party committee. [See R.I.G.L 17-25-10 1(j)] A contribution made by a “business entity” as defined in R.I.G.L 17-25-3(1) on April 29, 1992 or thereafter is strictly prohibited.

C. Prohibited Uses Of Campaign Funds.

The law prohibits the personal use, by any elected public office holder or by any candidate for public office, of any contributions after April 29, 1992. “Personal use” is defined as any use other than expenditures made for gaining or holding office and for which the candidate would be required to pay taxes on such money. Any campaign funds not used for gaining or holding public office may be: (1) maintained in a campaign account; (2) donated to another candidate for public office, to a political action committee, or political organization, subject to the limitations of §17-25-10.1; (3) transferred into a newly established political action committee; (4) donated to charity; (5) donated to the state of Rhode Island; or (5) returned to the donor. [See R.I.G.L 17-25-7.2]

No candidate for public office or any elected public office holder may accept the proceeds of any testimonial for personal use which were received after April 29, 1992, but testimonials to raise campaign funds shall continue to be lawful. [See R.I.G.L 17-25-7.3]

D. Limitation Of Repayment Of Loans.

Campaign contributions cannot be used to repay cumulative personal loans incurred on or after April 29, 1992 by a candidate to his or her own campaign in excess of \$200,000 during an election cycle. [See R.I.G.L 17-25-7.4]

E. Limitations On Contributions:

1. Contributions to Candidates May Not Exceed \$1,000 From Any One Source During A Calendar Year.

No person or political action committee shall make a contribution or contributions to any candidate, political action committee or political party committee which in the aggregate exceeds \$1,000 within a calendar year. No candidate shall accept a contribution or contributions which in the aggregate exceeds \$1,000 within a calendar year from any one person or political action committee. [See R.I.G.L 17-25-10.1(a)] However, candidates eligible for matching public funds and who elect to receive such public funds and comply in full with all eligibility requirements therefore shall be entitled to accept a contribution or contributions which in the aggregate do not exceed \$2,000 from any person or political action committee within a calendar year. [See R.I.G.L 17-25-30]

Additionally, a candidate may make a contribution or contributions in excess of the \$1,000 limit to his or her own campaign, and nothing herein shall be construed to restrict the amount of money that a candidate can borrow in his or her own name and, subsequently, contribute or loan to his or her own campaign. [See R.I.G.L 17-25-10.1(g)]

No person shall make contributions to more than one candidate, to more than one political action committee or to more than one political party committee, or to a combination of candidates and political action committees and political party committees which in the aggregate exceed \$10,000 within a calendar year, nor shall any political action committee make such contributions which in the aggregate exceed \$25,000 within a calendar year, nor shall any candidate or political action committee or political party committee accept a contribution or contributions which in the aggregate exceed \$1,000 within a calendar year from any one person or political action committee.

In addition to the \$10,000 aggregate limitation within a calendar year which may be contributed by any person, and in addition to the \$25,000 aggregate limitation within a calendar year which may be contributed by any political action committee an additional \$10,000 within a calendar year may be contributed by a person, political party committee or political action committee to a political party committee to be utilized solely for organizational and party building activities but

which shall not be used by the political party committee for contributions to candidates for public office. Funds contributed to a political party committee for organizational and party building activities shall not be used for monetary or “in-kind” contributions to candidates for public office. Please note, however, that a political action committee organized exclusively for the purpose of promoting or opposing a ballot question is permitted to expend in excess of \$25,000 to promote or oppose such ballot question. [See R.I.G.L 17-25-15(f)]

Contributions from Dependent Children. A contribution from an individual’s dependent children as defined in Section 36-14-2 shall be deemed a contribution from the individual for purposes of determining whether aggregate contributions exceed either the \$100 threshold for reporting purposes or the \$1,000 maximum for contributions to a single candidate or political action committee or \$10,000 maximum for contributing to all candidates and political action committees within a calendar year. No dependent child shall contribute an amount which, when added to contributions already made by that child’s parent or legal guardian and by other dependent children of that parent or legal guardian, exceed the \$1,000 maximum for contributions to a single candidate or political action committee or exceed the \$10,000 maximum for contributions to all candidates and political party committees within a calendar year. [See R.I.G.L 17-25-10.1(f)]

A “dependent child” is defined in Section 36-14-2 of the Rhode Island General Laws as a person’s natural child, adopted child or stepchild if such person, during any calendar year, provides over 50% of the child’s support during such calendar year.

It shall be the responsibility of the candidate, political action committee or political party committee receiving contributions to ascertain whether any individual contributor is the “dependent child” of another person so as to be able to determine whether such other person is to be chargeable for contributions made by such dependent child. In addition to maintaining records of the name, address and place of employment of all contributors, candidates, political action committees and political party committees should also maintain records indicating a contributor’s status as a dependent child. For this purpose, a statement from each individual contributor that he or she is or is not the dependent child of another person will suffice. It is suggested that the following question be answered by all individuals making contributions to candidates, political action committees or political party committees: “Have you received or do you expect to receive more than 50% of your support during this calendar year from another person who is your parent or legal guardian? If so, please provide the name and address of such other person.” (See “Political Contribution Card” in Appendix C.)

A contribution to a named candidate made to any political committee authorized by a candidate to accept contributions on his behalf shall be considered a contribution made to such candidate. Contributions to a candidate by a political committee for another person shall be considered to be contributions by that person. [See R.I.G.L 17-25-10.1 (b)]

Expenditures made by any person in cooperation, consultation or concert with, or at the request or suggestion of, a candidate or his authorized political committees or their agents shall be considered contributions to such candidate. [See R.I.G.L 17-25-10.1(c)]

The payment or financing by any person of the dissemination, distribution, republication, in whole or in part, of any broadcast or any written, graphic or other form of campaign materials prepared by the candidate, his campaign committees or their authorized agents shall be considered a contribution to the candidate. [See R.I.G.L 17-25-10.1(d)]

2. Contributions By Political Party Committees.

Political parties organized pursuant to Title 17 of the Rhode Island General Laws are not restricted from making contributions to the candidates of that political party provided, however, that such contributions, other than allowable “in-kind” contributions, shall not exceed, in the aggregate, \$25,000 to any one candidate within a calendar year nor shall any candidate accept a contribution or contributions, other than allowable “in-kind” contributions, which in the aggregate exceed \$25,000 within a calendar year from all committees of his or her political party. There shall be no restrictions on the amount of “in-kind” contributions that a political party committee may make to a candidate of its political party, provided, however that for the purposes of this section only, the cost and preparation and airing of television and/or radio advertisements and the cost of any print advertisements shall not be considered an allowable “in-kind” contribution and shall be subject to the aforementioned aggregate limitation of \$25,000. Notwithstanding the above, the political party committee and the candidate must continue to report such contributions. [See R.I.G.L 17-25-10.1(e)]

3. General Office Candidates/Matching Public Funds.

For candidates for general office who have chosen to accept matching public funds special limitations on acceptance of contributions and expenditures of money are applicable. Please see the *Public Financing of Campaigns for Candidates for General Office Manual* for further details.

4. Summary Of Allowable And Prohibited Contributions.

Appended hereto and made a part of this manual is a “Summary Chart Of Allowable And Prohibited Contributions.”

9. POWERS AND DUTIES OF THE BOARD OF ELECTIONS

- A.** The Board of Elections shall investigate and/or conduct hearings on possible violations of the law either on its own initiative or on the filing of a verified complaint based upon actual knowledge and under the pain of perjury. [See R.I.G.L 17-25-5(a)] See also Section 11 of this manual.
- B.** The Board must make a decision within 5 days of the date of any complaint. [See R.I.G.L 17-25-5(a)]
- C.** If no violation is found to exist, the investigation and/or hearing must be kept confidential unless the candidate waives the right in writing. [See R.I.G.L 17-25-5(a)]
- D.** The Board can issue a summons to persons it finds to have violated the law to appear in District Court to answer the charge which will be prosecuted by the Attorney General. [See R.I.G.L 17-25-5(a)]
- E.** The Board of Elections is authorized upon written request to render advisory opinions to candidates or committees as to whether contemplated actions by the candidates or committees would violate the law. [See R.I.G.L 17-25-5(c)]

10. DEFINITIONS

As used in the campaign finance laws, unless a different meaning clearly appears from the context:

A. Business Entity.

The term “*business entity*” means any corporation, whether for profit or not for profit, domestic corporation or foreign corporation, as defined in Section 7-1.1-2 of the general laws, financial institution, cooperative, association, receivership, trust, holding company, firm, joint stock company, public utility, sole proprietorship, partnership, limited partnership, or any other entity recognized by the laws of the United States and/or the state of Rhode Island for purposes of doing business. The term “business entity” shall not include a political action committee organized pursuant to this chapter or political party committee or an authorized campaign committee of a candidate or office holder.

B. Candidate.

The term “*candidate*” means any individual who undertakes any action whether preliminary or final which is necessary under the law to qualify for nomination for election or election to public office, and/or any individual who receives a contribution or makes an expenditure or gives his consent for any other person to receive a contribution or make an expenditure with a view to bringing about his nomination or election to public office, whether or not the specific public office for which he will seek nomination or election is known at the time the contribution is received or the expenditure is made and whether or not he has announced his candidacy or filed a declaration of candidacy at such time.

C. Contributions And Expenditures.

The terms “*contributions*” and “*expenditures*” include all transfers of money, paid political services or other thing of value to or by any candidate, committee of a political party or a political action committee. (Also, see Section 8 “Definition of Contribution.”)

D. Election.

The term “*election*” means any primary, general or special election or town meeting for any public office of the state, municipality or district, or for the determination of any question submitted to the voters of the state, municipality or district. [See R.I.G.L 17-25-3(c)]

E. Election Cycle.

The term “*election cycle*” means the twenty-four month period commencing on January 1 of odd number years and ending on December 31 of even number years; provided, however, with respect to the public financing of election campaigns of general officers under §17-25-19, 17-25-20 and §17-25-25, “election cycle” shall mean the forty-eight month period commencing on January 1 of odd-numbered years and ending December 31 of even-numbered years.

F. In-Kind Contribution.

An “*in-kind contribution*” is a contribution which includes “other thing of value” and “paid personal services” as well as contributions other than money.

G. Other Thing Of Value.

The term “*other thing of value*” means any item of tangible, real or personal property.

H. Paid Personal Services.

The term “*paid personal services*” means personal services of every kind and nature the cost or consideration for which is paid or provided by someone other than the committee or candidate for whom such services are rendered but shall not include personal services provided without compensation by persons volunteering their time.

I. Person.

The term “*person*” means any individual, partnership, committee, association, corporation and any other organization.

J. Political Action Committee (PAC).

The term “*political action committee*” (*PAC*) means any group of two or more persons which accept any contributions to be used for advocating the election or defeat of any candidate or candidates or to be used for advocating the approval or rejection of any question or questions submitted to the voters. Only political action committees which have accepted contributions from fifteen (15) or more persons in amounts of ten dollars (\$10) or more within an election cycle shall be permitted to make contributions, and said committees must make contributions to at least five (5) or more candidates.

Once a political action committee shall have received contributions of \$10 or more from at least 15 people it may then commence to make contributions to candidates provided, however, that such PAC shall be required to contribute to at least 5 candidates within an election cycle. Notwithstanding the above, PACs which have been organized for the sole purpose of advocating the defeat or approval of a question or questions shall not be required to contribute to 5 candidates.

K. Political Party Committee.

The term “*political party committee*” shall mean each state and municipal committee of a political party. A “state committee of a political party” includes the state committee of each political party and each senatorial and representative district committee. A “municipal committee of a political party” includes the city and town committees of each political party and each ward committee.

L. Public Office.

The term “*public office*” means any state, municipal, school or district office or other position that is filled by popular election, **except political party offices**. “Political party offices” shall mean any state, city, town, ward, or representative or senatorial district committee office of a political party or delegate to a political party convention or any similar office.

M. State.

The term “*state*” means State of Rhode Island

N. Testimonial Affair.

The term “*testimonial affair*” means an affair of any kind or nature including, but not limited to, cocktail parties, breakfasts, luncheons, dinners, dances, picnics, or similar affairs expressly and directly intended to raise campaign funds on behalf of a candidate for nomination or election to a public office in this state or expressly and directly intended to raise funds on behalf of any state or municipal committee of a political party or any political action committee.

11. OFFENSES AND PENALTIES

A. Investigation By The Board.

The Board of Elections may conduct confidential investigations and closed hearings relative to alleged violations of the campaign contributions and expenditures reporting law on its own initiative or upon receipt of a verified written complaint. Upon completion of its investigation or hearings, if the Board has reason to believe that a violation of the reporting law has occurred, the Board may require the violator to be prosecuted by the Attorney General. [See R.I.G.L. 17-25-5(7)]

1. Violations.

Upon a finding that there has been a violation of the campaign finance laws, the Board of Elections may issue an order requiring the violator to:

- (a) cease and desist from such violation;
- (b) file any report, statements or other information as required by the campaign finance law; and/or
- (c) pay a civil fine for each violation, in an amount not to exceed the greater of: 1) \$1,000 or 2) 3 times the amount the violator failed to report properly or unlawfully contributed, expended, gave or received.

In addition the Board may turn over any evidence to the Attorney General which may be used in a subsequent criminal proceeding against the violator.

B. Criminal Penalties: RI Campaign Finance Laws.

Any person who willfully and knowingly violates the provisions the campaign finance laws shall upon conviction be guilty of a petty misdemeanor and shall be fined not more than \$1,000 per violation. [See R.I.G.L 17-25-13]

C. Criminal Penalties/Gambling Questions.

Any person who willfully and knowingly violates the provisions regarding gambling questions shall upon conviction be guilty of a felony and shall be imprisoned for a term of not more than two years, or shall be fined not more than \$5,000, or both. [See R.I.G.L 17-25.1-2]

D. Injunctive Relief And Forfeiture Of Contributions.

Whenever the Board of Elections has reason to believe that a candidate, political party committee, or political action committee or its campaign treasurer or deputy campaign treasurer has accepted a contribution or made an expenditure in violation of the campaign contributions and expenditures reporting law, willfully and knowingly has made a false statement in any required report, has failed to file a required report, or has otherwise violated the reporting law, the Board, in addition to all other actions authorized by law, may request the Attorney General to bring an action in the name of the state in the Superior Court against the person or committee to enjoin it from continuing such violation or doing any acts in furtherance thereof and for such other relief as the court deems appropriate. In addition, the court may order the forfeiture of any or all contributions that have not been reported or have been accepted in violation of the reporting law. In the event of illegal acts or contributions under Chapter 17-25, the Court shall also impose a civil penalty not exceeding three times the amount of: (1) contributions made or accepted in violation of the law; (2) expenditures made in violation of the law; and (3) contributions or expenditures not reported as required by law. All funds so collected shall be deposited in the public financing of elections campaign fund. [See R.I.G.L 17-25-16]

APPENDIX

APPENDIX A

SUMMARY CHART OF ALLOWABLE AND PROHIBITED CONTRIBUTIONS (All limitations below are calendar year limitations)

Candidate				Political Party	Political Party for organizational & party building activities ¹	Aggregate Limits
	Money ^{2,3}	In-K in d ⁴				
Person ^{5,6}	\$1,000/\$2,000 ⁷	\$1,000/\$2,000 ⁸	\$1,000	\$1,000	\$10,000	\$10,000 ⁹
PAC ¹⁰	\$1,000/\$2,000 ⁷	\$1,000/\$2,000 ⁸	\$1,000	\$1,000	\$10,000	\$25,000 ¹¹
Party Committee	\$25,000 ¹²	Unlimited ¹³	\$1,000	\$1,000	\$10,000	-----
Corporations ¹⁴	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	-----
Employees of Corps if reimbursed by Corp ¹⁵	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	-----
Candidate loan to himself ¹⁶	Unlimited	Unlimited ¹⁷	-----	----- -	-----	-----

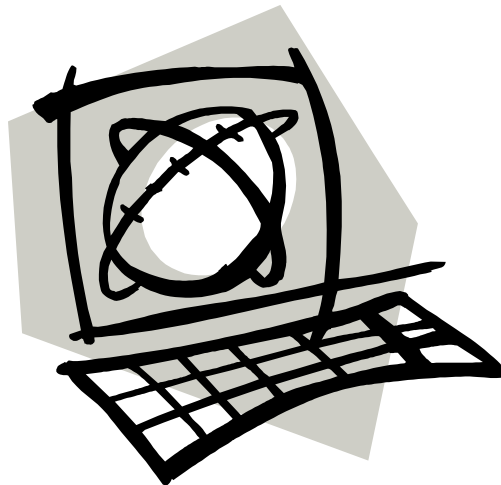
- Amounts listed below do not count toward aggregate limit of \$10,000 for persons and \$25,000 for political action committees which may be contributing to one or more candidates, pac's or political party committees or a combination of each for political purposes.
- Contributions in cash in excess of \$25 are prohibited and must be made by check or money order. §17-25-10.1(i)
- Loans are counted as contributions until repaid.
- "In-Kind" contributions include "other thing of value," paid personal services and anything else other than monetary contributions. §17-25-3(6) defines "other thing of value" as any item of tangible, real or personal property with a fair market value in excess of \$100.
- Contributions from dependent children are counted as contributions from a person.
- §17-25-10(b) allows a person not acting in concert to expend sums on an unlimited basis. Since a "political action committee" (defined in §17-25-3(9) is not a person under §17-25-3(8), political actions committees not acting in concert must abide by the limitations stated herein.
- The limit is \$1,000 if the candidate does not elect to accept public financing and \$2,000 if the candidate does elect to accept public financing. §17-25-30(b)
- The total of money and "other things of value" cannot exceed the \$1,000/\$2,000 limitation.
- Limitations on contributions by a person to more than one candidate, or to more than one political action committee, or to more than one political party committee, or to a combination of candidates, political action committees, and political party committees may not exceed \$10,000 within a calendar year.
- A PAC organized exclusively for the purpose of promoting or opposing a ballot question may expend in excess of \$25,000 to promote or oppose that referendum, and shall not be subject to the requirements of making contributions to at least 5 candidates and must terminate all activity within 30 days following that election. (§17-25-15(f))
- Political Action Committees may not make contributions which in the aggregate exceed \$25,000 within a calendar year.
- Candidate may not accept contributions from any combination or party committees in excess of \$25,000.
- Except for Radio, TV and the cost of Print Advertisements which shall be subject to the aforementioned limitation of \$25,000 §17-25-10.1(c)
- Also includes other business entities as defined in §17-25-10.1(h)&(j)
- §17-25-10.1(h)
- §17-25-10.1(g)
- §17-25-1(b) Contributions include "other things of value."

APPENDIX B

**All
Campaign Finance Forms
May be Found
at the
Board of Elections
Web Site:**

<http://www.elections.state.ri.us>

(Please note: pp. 30-38 of the hard-copy version of this manual contains blank copies of campaign finance forms CCER-1 through CCER-9. This electronic version provides links below to each form for downloading and pp. 30-38 are intentionally left blank here.)



Clicking a form name below will take you to the specific form on the Board of Elections Web site.

[CCER-1 Campaign Contributions & Expenditures Report](#)
[CCER-2 Schedule of Campaign Contributions & Expenditures](#)
[CCER-3 Appointment of Campaign Treasurer](#)
[CCER-4 Affidavit of Aggregate Contributions & Total Expenditures](#)
[CCER-5 Affidavit of Campaign Fund Status](#)
[CCER-6 Affidavit for Annual Filing Exemption](#)
[CCER-7 Notice of Organization of Political Action Committee](#)
[CCER-8 Amendment to Notice of Organization of Political Action Committee](#)
[CCER-9 Report of Expenditures by Persons Not Acting in Concert with Others](#)

APPENDIX C

Political Contribution Card

Included as part of this appendix is a proposed form of a “Political Contribution Card”. It is required that all candidates, political action committees and political party committees accepting contributions use and maintain, as part of their supporting records, this card or a card in substantially the same form to obtain information necessary to satisfy audit requirements of the State Board of Elections.

THIS IS A SAMPLE OF THE TYPE OF CARD WHICH SHOULD BE USED

(Front of Card)

POLITICAL CONTRIBUTION CARD

(Please Print)

Full Name of Contributor _____

Telephone Number _____

Address _____

Name of Employer _____

Address of Employer _____

Date of Contribution _____

Amount of Contribution \$ _____

Type: ☐ Cash ☐ Check ☐ Money Order
Other _____

If you have received or expect to receive more than 50% or more of your support during this calendar year from a parent or legal guardian, please print the name & address of the parent or legal guardian as well as the name & address of the person's employer on the back of this card.

Signature of Contributor

(Back of Card)

John Doe
123 Main Street
Providence, RI 02904

Acme Employer
345 Main Street
Providence, RI 02904

APPENDIX D

SAMPLE OF COMPLETED CCER-2 FORM

SCHEDULE OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

Rev 10/99

IMPORTANT: This form must be completed if any of the shaded lines (sections 2, 4, 6, 10) on the Campaign Contributions and Expenditures Report Form CCER-1 are filled in or if, additionally, you are using form CCER-4 and checking off box #2. Be sure to staple this form to either form CCER-1 or CCER-4 as applicable. Refer to Manual.

NAME OF CANDIDATE OR COMMITTEE OR OFFICE HOLDER John Q. Candidate	KEY # 2222	REPORTING PERIOD (DATES) FROM: 3/01/2001 TO: 6/30/2001
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THE ITEMS LISTED BELOW ARE **(CHECK ONE)**: (SUBMIT A SEPARATE SCHEDULE FOR EACH CATEGORY)

CASH RECEIPTS:

Contributions from individuals
Contributions from Political Parties
Contributions from Political Action Committees
Loan Proceeds *
Other Receipts
Regular Payroll Checkoff (for use by PACs only) (identify transferring finds to PAC and total number of contributors)
Labor Union Political Action Committee

CASH DISBURSEMENTS:

☐ Campaign Expenses
☐ Repayment of Loans
☐ Other Disbursements
☐ In-kind Contributions
☐ Accounts Payable
☐ Loans Payable
☐ Other _____

PLEASE TYPE OR
PRINT LEGIBLY

Item No.	Name and Address	Place of Employment of Contributor, if individual, OR Total # of Contributors for Payroll Checkoff or labor union, political action	Purpose	Date	Amount
1	Adams, John 123 Elm Street Anywhere, RI 02000	XYZ COMPANY 456 Jones Street Anywhere, RI 02000	Contribution	4/2/2001	25.00
2	Jones, John 112 Smith Street Anywhere, RI 02000	ABC COMPANY 345 Maple Avenue Anywhere, RI 02000	Contribution	4/1/2001 5/1/2001	125.00 195.00
3	Public, John Q. 456 State Street Anywhere, RI 02000	Jones COMPANY 789 Jones Street Anywhere, RI 02000	Contribution	1/5/2001 4/5/2001	50.00 75.00
4	Smith, John Q. Jr. 123 Branch Ave Anywhere, RI 02000 Dependent child of: John O. Smith Sr, 123 Branch Ave Anywhere, RI 02000	unemployed 123 Company 4445 Smith Street Anywhere, RI 02000	Contribution	5/3/2001	175.00
5	Total Contributions from individuals who have not individually contributed more than \$100 each in the aggregate during the calendar year.				\$1500.00

PAGE NUMBER _____ of _____ PAGES

PAGE TOTAL

\$2145.00

Explanation of Notes on Opposite Side (Form CCER-2):

1. Contributor already reached threshold of \$100.00 in a previous reporting period within this calendar year.
2. Although both contributions were received during this reporting period, they must be listed separately on the CCER-2 form including the date of each contribution from this single source.
3. This record indicates a contributor who for the first time exceeded \$100 in contributions in the aggregate within this calendar year. Note that the \$50.00 contribution received on 1-5-01 did not have to be identified separately on the first quarter report because the contributor's contributions did not exceed \$100.00 in the aggregate at that time. Note, however, that on this report each contribution, which is part of this first time reporting of aggregate contributions in excess of \$100.00 for this contributor, must be listed separately including the date of such contribution.
4. This note indicates the format to use when reporting a contribution when the contributor indicated to you that he or she is the dependent child of another person who is his or her parent or legal guardian. Such contributions must be counted toward the aggregate total of such parent's or legal guardian's own contributions.
5. When filing a CCER-1, this information must be included on your CCER-2 in order for the total to be reconciled with the information reported on your CCER-1, line 2(a)(1).